

PATENT COOPERATION TREATY

Rec'd PCT/PTO 22 APR 2005

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

10/532552

PCT

WRITTEN OPINION
(PCT Rule 66)

To:

Don Hopkins & Associates
PO Box 376
Palmerston North
NEW ZEALAND

Date of mailing
(day/month/year) 23 JUN 2004

Applicant's or agent's file reference
11-255PCT

REPLY DUE within **TWO MONTHS**
from the above date of mailing

International Application No.
PCT/NZ2003/000241

International Filing Date (day/month/year)
24 October 2003

Priority Date (day/month/year)
25 October 2002

International Patent Classification (IPC) or both national classification and IPC
Int. Cl. ⁷ E05C 1/14

Applicant

ASSA ABLOY FINANCIAL SERVICES AB, et al

1. This written opinion is the **first** drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - ☒ Basis of the opinion
 - ☐ Priority
 - ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Lack of unity of invention
 - ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Certain documents cited
 - ☐ Certain defects in the international application
 - ☐ Certain observations on the international application
3. The **FINAL DATE** by which the international preliminary examination report must be established according to Rule 69.2 is:
25 February 2005
4. The applicant is hereby invited to reply to this opinion.

When? See the **Reply Due** date indicated above. However, the Australian Patent Office will not establish the Report before the earlier of (i) a response being filed, or (ii) one month before the **Final Date** by which the international preliminary examination report must be established. The Report will take into account any response (including amendments) filed before the Report is established. **If no response is filed by 1 month before the Final Date**, the international preliminary examination report will be established on the basis of this opinion.

Applicants wishing to have the benefit of a further opinion (if needed) before the report is established should ensure that a response is filed at least **3 months before the Final Date** by which the international preliminary examination report must be established.

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4. For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6.

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Authorized Officer

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I. Basis of the opinion

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
 pages , filed with the demand,
 pages , received on with the letter of
- ☐ the claims, pages , as originally filed,
 pages , as amended under Article 19,
 pages , filed with the demand,
 pages , received on with the letter of
- ☐ the drawings, pages , as originally filed,
 pages , filed with the demand,
 pages , received on with the letter of
- ☐ the sequence listing part of the description:
 pages , as originally filed
 pages , filed with the demand
 pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

** Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 22 - 27	YES
	Claims 1 - 21	NO
Inventive step (IS)	Claims 22 - 27	YES
	Claims 1 - 21	NO
Industrial applicability (IA)	Claims 1 - 27	YES
	Claims	NO

2. Citations and explanations

D1: EP 0 136 891 B (EMHART INDUSTRIES, INC) 14 November 1990
D2: GB 2 286 627 A (TOTAL PRODUCT SALES LIMITED)
D3: US 5 927 769 A (PULLEN) 27 July 1999
D4: US 1 302 873 A (STIFF) 6 May 1919
D5: Derwent Abstract Accession No. 97-152189/14,
Class X13, JP 09028007 A (NIFCO, INC) 28 January 1997

NOVELTY: Claims 1 - 21

D1, D2 and D3 each disclose a latch device having all the essential features of independent Claim 1 and Claim 10 such as a latch device with a primary bolt (12) for engagement with a strike being coupled to a an operating element which moves the bolt from latching to retracted position, retaining means and activating means.

For example see the disclosure of D1 in column 11 line 25 onwards. D1 further discloses all the features of claims 1 - 21.

D2 further discloses features of claims 1, 3, 8 - 10

D3 further discloses features of claims 1 - 6, 8 - 19

D4 and D5 each discloses all the features of claims 1, 8 - 10.

INVENTIVE STEP : Claims 1 - 21:

As above

The features of subsidiary claims are also derivable from a combination of D1 to D3